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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/820,638

04/08/2004

Thanthrimudalige D.J. Dunstan

3050-004

8823

33432 7590 07/03/2008

KILYK & BOWERSOX, P.L.L.C.

400 HOLIDAY COURT

SUITE 102

WARRENTON, VA 20186

EXAMINER

MAPLES, JOHN S

ART UNIT

PAPER NUMBER

1795

MAIL DATE

DELIVERY MODE

07/03/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10820638	4/8/2004	DUNSTAN ET AL.	3050-004

KILYK & BOWERSOX, P.L.L.C.  
400 HOLIDAY COURT  
SUITE 102  
WARRENTON, VA 20186

EXAMINER

John S.. Maples

ART UNIT	PAPER
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1795	20080701
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DATE MAILED:

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**Commissioner for Patents**

Applicant's arguments relating to the election species requirement mailed 3 April 2008 are convincing and this requirement has been collapsed.

However, the reply filed on 9 January 2008 is not fully responsive to the prior Office Action because of the following omissions or matters: with applicant's amendments to claim 53, the same renders the subject matter of claim 57 as not further limiting the subject matter of claim 53 and thus claim 57 should be cancelled. Upon applicant canceling this claim, the examiner will proceed with further acting on the merits of all of the claimed subject matter. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John S. Maples whose telephone number is 571-272-1287. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan, can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/John S. Maples/

John S. Maples  
Primary Examiner  
Art Unit 1795

JSM/7-1-2008